

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for April 14, 2004 PLANNING COMMISSION MEETING

**P.A.S.:** Waiver #04005

**PROPOSAL:** Waive lot depth to width ratio and sidewalks associated with Hemple Addition Final Plat No. 04024.

**LOCATION:** S. 37<sup>th</sup> & Stockwell St.

**LAND AREA:** 40,789 square feet

**CONCLUSION:** The requested waiver is acceptable. The waiver allows for two existing single family houses to be on individual lots. There are no sidewalks on either side of S. 37<sup>th</sup> St.

<b><u>RECOMMENDATION:</u></b>	Depth to width ratio	Approval
	Sidewalks	Approval

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lots 188 and 189 I.T., located in the SE 1/4 of Section 6, Township 9 North, Range 7 East, Lancaster County, Nebraska

**EXISTING ZONING:** R-2 Residential

**EXISTING LAND USE:** Single family dwellings

### **SURROUNDING LAND USE AND ZONING:**

North: R-2 Residential  
South: R-2 Residential  
East: R-2 Residential  
West: R-2 Residential

### **HISTORY:**

**February 20, 2004** Final Plat #04024, Hemple Addition, was submitted to the Planning Department.

**June 19, 1989** Special Permit #1324, Hemple Community Unit Plan, was approved by the City Council.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

The 2025 Comprehensive Plan shows this area as urban residential. (F-23)

Guiding Principles for the Urban Environment includes:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods and more dwelling units per acre in new neighborhoods. (F-17)

Home ownership is the foundation upon which successful neighborhoods and communities are built. Citizens should be able to afford to buy a safe and decent home. (F-18)

Encourage mixed-use redevelopment, adaptive reuse and in-fill development including residential, commercial and retail uses. (F-18)

"Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents." (F-18)

"Sidewalks should be provided on both sides of all streets, or in alternative locations as allowed through design standards or the Community Unit Plan process." (F-66)

"Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling and provide multiple connections within and between neighborhoods." (F-66)

"The sidewalk system should be complete and without gaps." (F-89)

**ANALYSIS:**

1. This request is to waive the lot depth to width ratio and sidewalks associated with Hemple Addition final plat. Lot 3 exceeds the width to depth ratio.
2. The purpose of this final plat is to allow the two existing houses to be on their own individual lots and to expand the lot area of the eastern house into the eastern area of the existing lot to the south. Currently the houses are within a Community Unit Plan and the property is leased.

3. Public Works & Utilities Department does not object to this waiver.
4. The Community Unit Plan allowed for two houses on one lot. The Community Unit Plan is no longer needed if the final plat is approved and shall be rescinded with the approval of this waiver.
5. This is an older neighborhood with large lots and mature trees. Should other land owners decide to subdivide in the future, this type of lot arrangement would preserve the existing character, where as adding a street system would destroy many of the trees and the character of the area.
6. The lot has 133' of frontage and is 390' deep. The exceptional depth of the lot allows for an additional lot in the rear. This can only be accomplished by designing a flag lot that has a depth of more than three times its width.
7. There are no sidewalks on S. 37<sup>th</sup> St. from Stockwell St. to Calvert St. The installation of sidewalks at this location would create a sidewalk that does not connect to another sidewalk. There are provisions in the Lincoln Municipal Code that allows the City Council to order construction of sidewalks if they choose.

Prepared by:

Tom Cajka  
Planner

**DATE:** March 31, 2004

**APPLICANT:** William Hempel III  
3704 S. 37<sup>th</sup> St.  
Lincoln, NE 68506

**OWNER:** same as applicant  
&  
Joel A. & Julie A. Fay  
3710 S. 37<sup>th</sup> St.  
Lincoln, NE 68506

**CONTACT:** Mark A. Hunzeker  
1045 Lincoln Mall Suite 200  
Lincoln, NE 68508



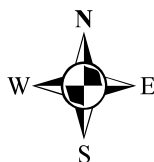
2002 aerial

## Waiver #04005 S. 37th & Calvert St.

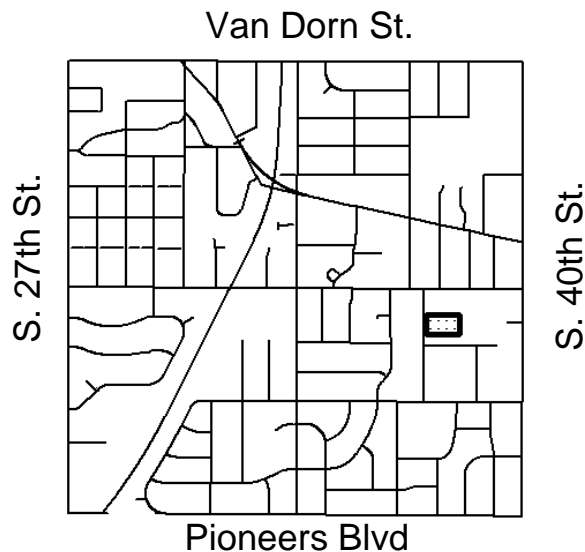
### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 6 T9N R7E

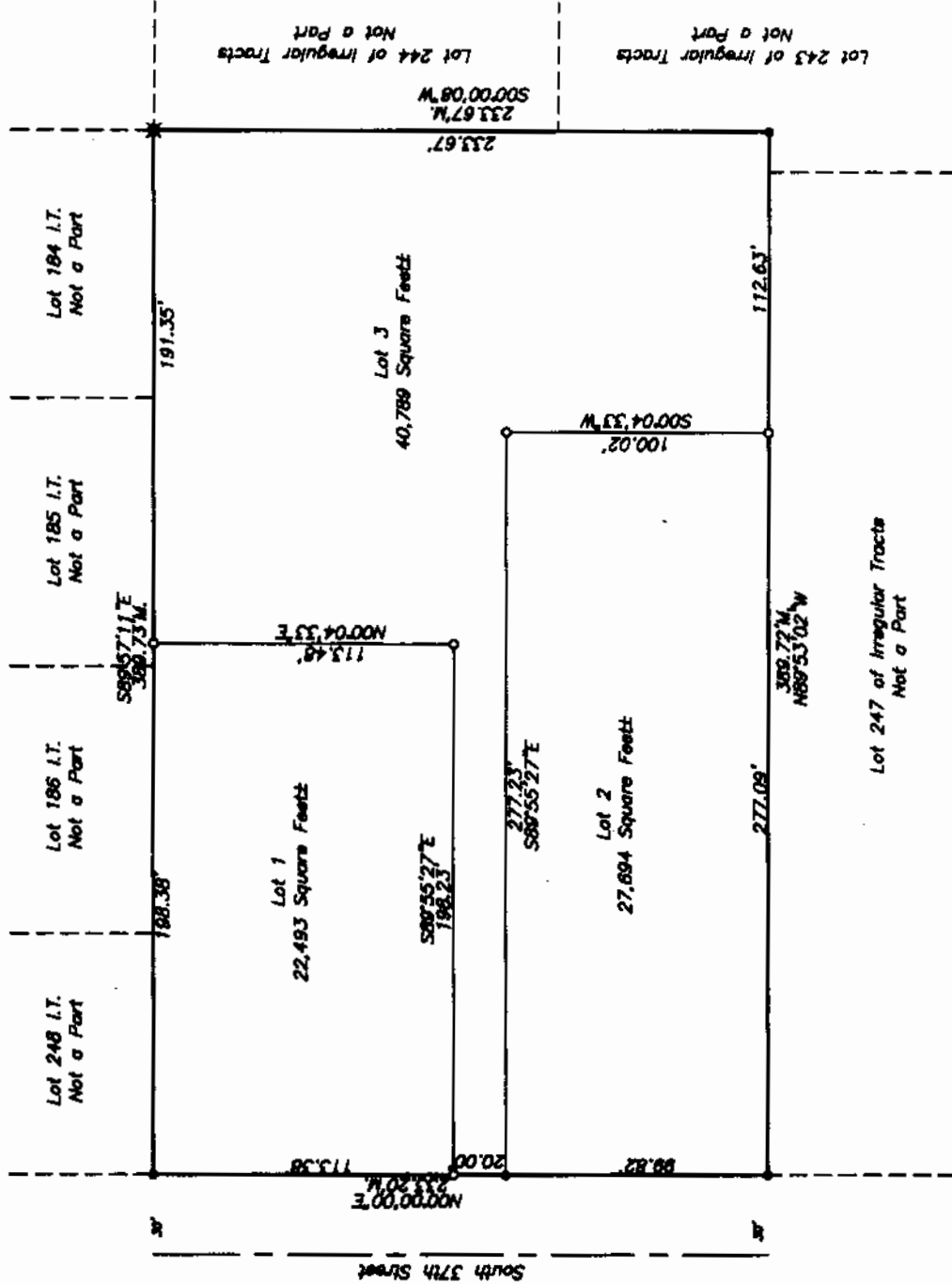


Zoning Jurisdiction Lines  
City Limit Jurisdiction



# "HEMPEL ADDITION"

Final Plat



SCALE: 1"=6'

○ = Set 1"24"

● = Found 1"10"

⊗ = Found 5/8"

M = Measured D

P = Plotted Dist

ACKNOWLEDGMENT

STATE OF NEBRASKA } SS

LANCASTER COUNTY }

# Official Survey Record

LANCASTER County, Nebraska

Phone (402) 434-2686  
Fax (402) 434-2687

ALLIED SURVEYING AND MAPPING, INC.

6120 South 58th Street - Suite "A" - Lincoln, Nebraska 68516

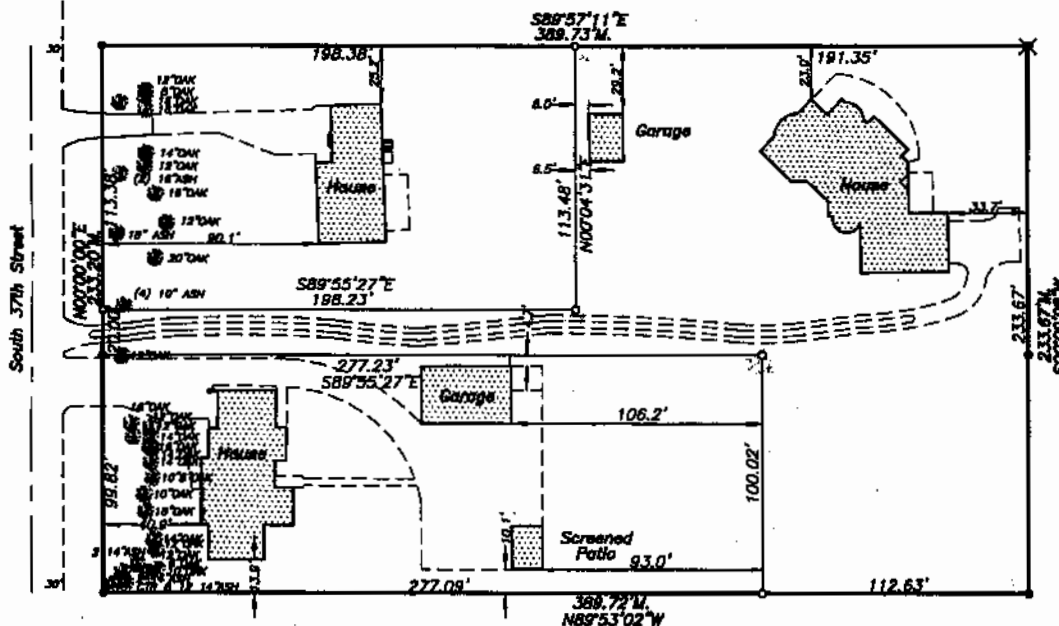
Survey of Lots 188 and 189 of Irregular Tracts

Section 6 T. 9 N., R. 7 East of the 6th P.M.

Job No. 32378

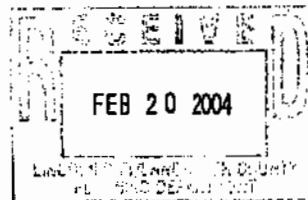
Sheet 1 of 1

February, 2004



SCALE: 1"=60'

- = Set 1"x24" Iron Pipe
- = Found 1" Iron Pipe
- ✕ = Found 5/8" Rebar
- M = Measured Distance
- P = Plotted Distance



○ = Set 1"x24" Iron Pipe

● = Monuments Found as shown

## SURVEYORS CERTIFICATE

I hereby certify that I have accurately surveyed the property in the above plat. Iron Pipe were set at points marked ○. All dimensions are in feet and decimals of a foot.

Signed this 6th day of February, 2004

NAME Dennis D. Simonds  
DENNIS D. SIMONDS

Surveyor's License # 343  
Nebraska L.S. (SEAL)

# Memorandum

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<b>To:</b>	Tom Cajka, Planning Department
<b>From:</b>	Charles W. Baker, Public Works and Utilities
<b>Subject:</b>	Hemple Addition Waiver#04005
<b>Date:</b>	March 15, 2004
<b>cc:</b>	Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for waiver of the lot/depth ratio for the Hemple Addition located at 3704 S 37th Street. Public Works has no objections.

**Pierson|Fitchett**  
LAW FIRM

1045 Lincoln Mall  
Suite 200  
P.O. Box 95109  
Lincoln, NE 68509  
(402) 476-7621  
fax (402) 476-7465  
[www.pierson-law.com](http://www.pierson-law.com)

Thomas J. Fitchett  
Mark A. Hunzeker  
William G. Blake  
Peter W. Katt  
William C. Nelson  
David P. Thompson  
Patrick D. Timmer  
Randy R. Ewing  
Shanna L. Cole  
Jason L. Scott

Gary L. Aksamit  
of Counsel

March 18, 2004

Tom Cajka  
Lincoln / Lancaster County Planning Dept.  
555 S. 10th Street  
Lincoln, NE 68508

Re: Hempel Addition

Dear Tom:

Per our conversation earlier today, I hereby request that the lot depth-to-width ratio waiver request for the above plat be deferred for two weeks. Enclosed is our firm check in the amount of \$125 for the deferral request.

Also, as we discussed, I request that the waiver application be amended to include a waiver of the requirement for installation of sidewalks along the east side of South 37<sup>th</sup> Street abutting the plat.

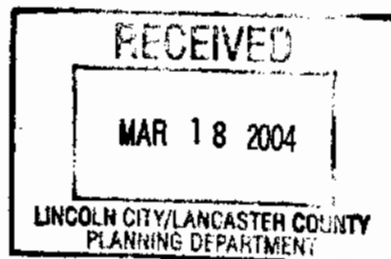
Thank you very much for your cooperation.

Sincerely,



Mark A. Hunzeker  
For the Firm

MAH:la  
Enclosure



Pierson, Fitchett, Hunzeker, Blake & Katt